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Frias Transportation Management;
6 *Virgin Valley Cab Company, Inc.; Ace Cab, Inc.;*
7 *A-N.L.V. Cab Co.; Union Cab Co.; and*
Vegas-Western Cab, Inc.

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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 TADIOS TESSEMA, INDIVIDUALLY, and
as the former UNIT CHAIR of the FRIAS
13 TRANSPORTATION BARGAINING
UNIT, LOCAL 711A, UNITED STEEL,
14 PAPER AND FORESTRY, RUBBER,
MANUFACTURING, ENERGY, ALLIED
15 INDUSTRIAL AND SERVICE WORKERS
INTERNATIONAL UNION,

16 Plaintiff,

17 v.

18 UNITED STEEL, PAPER AND
FORESTRY, RUBBER,
19 MANUFACTURING, ENERGY, ALLIED
INDUSTRIAL AND SERVICE WORKERS
20 INTERNATIONAL UNION; LEO W.
GERARD; ROBERT LaVENTURE;
21 MANUEL ARMENTA; CHRIS
YOUNGMARK; ACE CAB, INC.; UNION
22 CAB CO.; VEGAS-WESTERN CAB, INC.;
A-N.L.V. CAB CO.; VIRGIN VALLEY
23 CAB COMPANY, INC.; FRIAS
TRANSPORTATION MANAGEMENT,
24 DOES I-X and ROES XI-XX,

25 Defendants.

Case No.: 2:13-cv-01782-APG-VCF

**STIPULATION AND ORDER TO EXTEND
DISCOVERY AND DISPOSITIVE MOTION
DEADLINES**

(Third Request)

26 The parties, by and through their respective counsel of record, hereby stipulate and agree
27 as follows:
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1 1. On June 16, 2014, this Court entered its Order setting out the discovery plan and
2 scheduling order dates (Dkt. #74).

3 2. This is the second request by the parties to amend the Court's June 16, 2014
4 scheduling order.

5 3. The parties deferred significant discovery until the Court ruled on Defendants
6 Frias Transportation Management; Virgin Valley Cab Company, Inc.; Ace Cab, Inc.; A-N.L.V.
7 Cab Co.; Union Cab Co. and Vegas-Western Cab, Inc.'s (hereinafter collectively referred to as
8 "Frias Defendants") Partial Motion to Dismiss (Dkt. #31), Defendants United Steelworkers, Paper
9 and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers
10 International Union; Leo W. Gerard; Robert LaVenture; Manuel Armenta; and Chris
11 Youngmark's (hereinafter collectively referred to as "Union Defendants") Motion for Partial
12 Judgment on the Pleadings (Dkt. #47); and Plaintiff Tadios Tessema's (hereinafter referred to as
13 "Plaintiff") Motion for Expedited Declaratory Relief (Dkt. #37). The Union Defendants
14 propounded discovery on August 8, 2014.

15 4. On September 9, 2014, the Court conducted a hearing respecting the
16
17 aforementioned motions and entered its Order (Dkt. #77) on September 17, 2014. The Plaintiff
18
19 filed a Motion to Alter or Amend Judgment or in the Alternative Relief from Final Judgment
20 (Dkt. #78). Union Defendants and Frias Defendants filed their responses on November 4, 2014
21 (Dkts. #81 and 82, respectively). Plaintiff filed his reply (Dkt. #87) on November 18, 2014.

22 5. This extension is necessary based on counsels' schedules, the availability of
23 witnesses, the time needed to complete all reasonable discoveries and the opportunity to consider
24 the Court's ruling on the Plaintiff's Motion to Alter or Amend Judgment.

25 6. On March 26, 2015, the Court extended discovery through August 1, 2015. (Dkt.
26 #95).
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9. The following extension is necessary to allow the parties to complete discovery in the event that the case is not resolved. The parties do not anticipate needing any further extensions.

1. **Discovery.** The parties stipulate and agree that the discovery period shall be extended four (4) months from August 1, 2015 to November 30, 2015 with all written discovery to be propounded in time such that responses shall be due no later than November 30, 2015.

2. **Expert Disclosures.** The disclosures of experts and experts' reports shall be due no later than October 1, 2015 which is not later than sixty (60) days before the proposed discovery deadline. The disclosure of rebuttal experts and their reports shall be due no later than October 30, 2015 which is not later than thirty (30) days after expert disclosures.

3. **Interim Status Report.** An interim status report shall be filed no later than October 1, 2015 which is sixty (60) days before the proposed discovery deadline.

4. **Dispositive Motions.** The parties shall have through and including December 29, 2015 to file dispositive motions which is thirty (30) days after the proposed discovery deadline.

5. **Pretrial Order.** If no dispositive motions are filed, the Joint Pretrial Order shall be filed January 28, 2016 which is thirty (30) days after the date set for the filing of dispositive

1 motions. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order
2 shall be suspended until thirty (30) days after decision on the dispositive motions or by further
3 order of the Court.

4 ~~6. Amending the Pleadings and Adding Parties. The last day to file motions to~~
5 ~~amend pleadings or add parties shall be no later than October 1, 2015 which is not later than sixty~~
6 ~~(60) days before the close of discovery.~~

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8 7. Extensions or Modifications of the Discovery Plan and Scheduling Order. LR
9 26-4 governs modifications or extensions of this discovery plan and scheduling order. Any
10 stipulation or motion must be made by November 9, 2015, which is twenty-one (21) days before
11 the expiration of the subject deadline. All requests for extension shall fully comply with LR 26-4.
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1 This stipulation is sought in good faith and not for the purpose of delay. Only one prior
2 request for an extension of scheduling deadlines has been made.

3 Dated this ____ day of July, 2015.

4
5 LAW OFFICE OF
DAN WINDER, P.C.

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Vegas-Western Cab, Inc.

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12 GILBERT & SACKMAN,
A Law Corporation

The time to amend the pleadings and add parties has
expired and is not extended by this Order.

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14 /s/ Joshua F. Young
Joshua F. Young
3699 Wilshire Boulevard, Suite 1200
15 Los Angeles, California 90010-2732

16 *Attorneys for Union Defendants*

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19 **IT IS SO ORDERED.**

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21 _____
JUDGE/MAGISTRATE, U.S. District Court

22 Dated: 7-28-2015
23 _____

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27 4828-0424-6566, v. 1